

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston	
Date: 6/1/2011	Case Number 2:09-cr-137
Case Style: USA vs. Joseph Ferrell	
Type of hearing Sentencing	
Before the honorable: 2508-Copenhaver	
Court Reporter Barbara Steinke	Courtroom Deputy Kelley Miller
Attorney(s) for the Plaintiff or Government Hunter P. Smith, Jr./Larry R. Ellis	
Attorney(s) for the Defendant(s) Benjamin L. Bailey	
Law Clerk	Probation Officer Jeff Gwinn

Trial Time

Contested Sentencing Hearing.

Non-Trial Time

Court Time

3:40 pm to 4:42 pm
9:46 am to 11:57 am
1:43 pm to 3:02 pm
Total Court Time: 4 Hours 32 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

9:30 case set

9:46 - case called - defendant sworn - defense counsel over PSR and addenda with defendant thoroughly and he understands - defendant read PSR and addenda, went over with attorney, he explained, understands everything

Court addressed "non-financial" and "non-medical" objections

Medical objections addressed

Def. #1 Jeffrey Shook

Def. Exhibits #1-4 - admitted

Financial objections addressed

11:57 Recess

1:43 Resume

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Financial objections addressed further

With additions to Paragraphs 25 and 33 of the presentence report, report is factually accurate

Parties agree TOL 20 + I = 33-41 months

Restitution \$75,000 and \$200 special assessment paid

3:02 Recess

3:40 Resume

Court made findings with respect to the defendant's net worth

Mitigation - defense counsel, government, defendant

Court stated reasons for sentence including 3553(a) factors and reasons for downward variance

Sentence - 24 months (concurrently on each count) - \$250,000 fine paid \$50,000 every six months beginning July 1, 2011

Self-report on 8/5/11

Remaining counts dismissed

4:42 concluded